INVESTIGATIVE SUMMARY

DEPUTY INVOLVED SHOOTING: HIT

CASE NUMBER: SH2308453

File # 012-033314-2199-013

DATE: March 7, 2012

TIME: 1449 Hours

LOCATION: [redacted] Lou Dillon Avenue, Los Angeles

SYNOPSIS

On March 7, 2012, at approximately 1449 Hours, Deputies Anthony Paez, Steve Espericueta and William Turpin, assigned to the Gang Enforcement Team, were travelling west on 103rd Street crossing Lou Dillon Avenue in a marked black and white patrol vehicle.

> **IAB NOTE:** Due to Deputy Paez returning from a [redacted] and not having an assigned partner he rode with Deputy Turpin and Deputy Espericueta.

While Deputy Turpin was driving, Deputy Espericueta was riding in the front passenger seat and Deputy Paez was riding in the rear seat behind the front passenger, they saw a male who appeared to be wearing gang attire straddling a bicycle on Lou Dillon Avenue south of 103rd Street. In an attempt to contact the male, Deputy Turpin conducted a U-turn and drove south on Lou Dillon Avenue.

> **IAB NOTE:** Lou Dillon Avenue is a one way street and the direction of travel is from south to north.

When they arrived at [redacted] Lou Dillon Avenue they saw the male straddling the bicycle on the sidewalk and two individuals in the front yard of the location drinking alcohol. Deputy Espericueta contacted the male on the bicycle, Witness [redacted] while Deputy Turpin and Deputy Paez contacted the other two individuals, Witness [redacted] and Suspect Cabrales. The male on the bicycle was cooperative and complied with Deputy Espericueta's request to step away from the bicycle.

IAB NOTE: [redacted]

Deputy Turpin asked Witness [redacted] to exit the yard. Witness [redacted] complied and opened the gate. As Witness [redacted] was opening the gate Suspect Cabrales attempted to hold the gate closed. Witness [redacted] opened the gate, exited the yard and was detained by Deputy Turpin. As Deputy Turpin detained Witness [redacted], Suspect Cabrales began to walk away from the deputies west toward the house. Deputy Paez entered the yard to contact Suspect Cabrales. Suspect Cabrales continued to walk west through the yard toward the north side of the house. Deputy Paez followed Suspect Cabrales and asked him to stop and show his hands. Deputy Cabrales continued walking and Deputy Paez again asked him to stop and show his hands. While following Suspect Cabrales Deputy Paez saw a holster attached to Suspect Cabrales' waistband protruding from the bottom of his shirt. After seeing the gun in the holster Deputy Paez drew his duty weapon and ordered Suspect Cabrales to stop and show his hands. Suspect Cabrales did not comply with Deputy Paez' request and entered a walkway on the north side of the house. As Deputy Paez approached the walkway he saw the suspect retrieve the gun from the holster and point it in his direction. Fearing for his life and the safety of his partners, Deputy Paez fired his duty weapon striking the suspect. The suspect fell to the ground landing with his hands under his body near his waistband. Deputy Paez took cover next to the house and Deputy Turpin arrived to assist him. Both Deputy Turpin and Deputy Paez requested the suspect to show his hand. Suspect Cabrales again did not comply with their request. After securing Witness [redacted] and Witness [redacted], Deputy Espericueta arrived at their location. The deputies approached the suspect and handcuffed him.

Suspect Cabrales was pronounced dead by Los Angeles City Fire.

A 9 millimeter "Glock" handgun was recovered from the yard adjacent to the location. **Refer to Exhibit A, page 211 and Exhibit B.**

This is a summary based on statements given during audio recorded interviews by the Deputy and witnesses. For complete and detailed statements refer to the digital audio recorded files and the verbatim transcripts, which are included in this investigation.

INVOLVED PERSONNEL

Paez, Anthony [redacted] MH/[redacted] 5-06 150 Right Handed

OSS-GET

Region II

[redacted]

Prior Shooting Incidents: Two

Prior Founded Force Incidents: None

SUSPECT

Cabrales, Arturo Deceased MH/22 5-10 180

The Consolidated Criminal History System reveals Suspect Cabrales has been arrested three times for felony offenses, and one time for misdemeanor offenses. Arrests include: [redacted]

Suspect Cabrales is a member of the "Watts Varrio Grape Street" gang.

> **IAB NOTE:** Suspect Cabrales' Criminal History Report is included in this case book. **See Exhibit A, page 117**. Photographs of Suspect Cabrales are also included. **See Exhibit A, page 108 and 116.**

DEPARTMENT WITNESSES

Turpin, William [redacted] Deputy Sheriff

Espericueta, Steve [redacted] Deputy Sheriff

NON-DEPARTMENT WITNESSES

[redacted] MH/[redacted]

[redacted]

[redacted] MH/[redacted]

[redacted]

[redacted] MH/[redacted]

[redacted]

IAB NOTE: Several of the neighboring houses were canvassed for potential witnesses. None of the persons contacted saw the incident, several only heard it. **See Exhibit A, pages 25-26.**

INJURIES

Suspect Cabrales

Below is a list of the injuries Suspect Cabrales sustained during the shooting.

A gunshot wound penetrating the thorax from right scapular region.

Two gunshot wounds perforating soft tissues of the abdominal wall, right to left.

Gunshot wound penetrating lower torso from right hip region.

Gunshot wound penetrating sacroiliac region from right paraspinal location.

Gunshot wound penetrating left buttock-pelvic area.

Abrasions of facial region and knees.

See Exhibit A, page 83, for Coroner's Autopsy Report.

Deputy Personnel

None

PHYSICAL EVIDENCE

Several items of evidence were collected by staff from the Sicentific Services Bureau. The suspect's firearm was amongst the items recovered and collected as evidence. **See Exhibit A, page 58.**

IAB Note: A sketch of the crime scene, and evidence legend, is included in this case book. See **Exhibit A, page 58 and Exhibit B.** Photographs of the scene are also included. See **Exhibit C.**

Distance

Deputy Paez was approximately five to six feet away from the suspect when the shooting occurred.

INVESTIGATOR'S OBSERVATIONS

On March 7, 2012 the Internal Affairs Bureau's Force and Shooting Response Team Responded to the City of Los Angeles regarding a deputy involved hit shooting. The team consisted of Lieutenant Stephen Vaughn, Sergeants Fred Reynolds and Slade Carrizosa. Attorney Angelica Arias of the Office of Independent Review also responded.

> **IAB NOTE:** Internal Affairs Bureau Lieutenant Stephen Vaughn checked to see that OSS Lieutenant Henry Saucedo took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigator's, and that the involved and witness personnel did not collectively consult with their representative. In addition the IAB Lieutenant Stephen Vaughn checked to see if the watch commander attempted to have the involved and witness personnel gather in the company of a supervisor until they had provided a statement to the assigned investigators.

Upon their arrival they learned that there was an active command post and containment of the crime scene area. Investigators learned of the series of events which occurred, culminating in a deputy involved, hit, shooting involving Deputy Anthony Paez.

The criminal investigation was handled by Homicide Bureau Detective Joe Espino and Sergeant Robert Kenney. They entered the crime scene with Sheriff's Crime Lab Personnel. They documented their actions and finding on Supplemental Reports.
See Exhibit A, pages 28-56.

REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Investigators reviewed the radio traffic associated with the incident. The channels used during the incident were [redacted], Local-Tactical [redacted] and Area-Tacticle [redacted].

On the main working frequency [redacted] at 1449 hours, Unit OSSG34 requested the patch re[redacted](Deputy Involved Shooting). One-minute and fifty one seconds after the initial assistance request [redacted] (Medical Rescue) requested for the suspect. Two minutes and 16 seconds into the call OSSG34 advises the suspect is down and again request [redacted] Three minutes into the request 210NS arrives at the location. Four

minutes into the request Sherriff's aero unit arrives and begins coordination along with Unit 212D. Five minutes into the request [redacted] (Fire) arrives.

The Local Tactical [redacted] and Area Tactical channels were used for coordinating the crime scene containment.

IAB NOTE: (1) Compact Disc containing recordings of the radio communications during the incident are included in the IAB case book as **Exhibit D.**

WEAPON USED BY DEPUTY PERSONNEL

Deputy Name: Paez, Anthony

Service Weapon Type: Beretta 9 millimeter Semi-automatic

Rounds Fired: 6

Type of Ammunition Used: Department issued Luger ("Win) Ranger SXT 147gr.

[redacted]

IAB NOTE: An examination of Deputy Paez' firearm indicated he shot a total of six rounds. The firearm was tested by Sheriff's firearms examiner and was found to be functional. **Refer to Exhibit E.** Deputy Paez' Firearms Training Record and Qualification Records are included in the IAB case book in the **Miscellaneous Documents.**

WEAPON USED BY SUSPECT

Cabrales, Arturo

Type of Weapon Used: 9 millimeter "Glock"
Weapon Recovered: Yes

Casings Recovered: 0

Gunshot Residue Results: Unknown

IAB NOTE: Gunshot Residue was not examined prior to the completion of this investigation.

Weapon Checked for Fingerprints: Yes

Results: No latent prints were developed

IAB NOTE: The firearm was tested by Sheriff's firearms examiners and found to be functional. **Refer to Exhibit E,** for Firearms Identification Section supplemental report.

PROPERTY DAMAGE

Chip damage to the south facing white stucco exterior wall of the residence at [redacted] Lou Dillon Avenue, Los Angeles. **See Exhibit A, page 63** for full description of damage.

IAB NOTE: The damage to the residence at [redacted] Lou Dillon Avenue was determined not to be bullet related. Refer to **Exhibit E** for Firearms Identification Section field investigation supplemental report.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator's Name: Espino, Joe and Kenney, Bob
Suspect: Deceased

LIGHTING AND WEATHER CONDITIONS

Clear, daylight

INVOLVED EMPLOYEE STATEMENT

Involved Deputy Anthony Paez, # [redacted] was interviewed by Homicide Detectives Joe Espino and Bob Kenney at Century Station on March 7, 2012 at 2205 Hours. The interview was conducted at the Century Sheriff's Station and was digitally audio recorded. The interview was summarized by Homicide Detectives and is included in **Exhibit A, pages 48-52. See Exhibit A** for his homicide interview.

IAB NOTE: IAB Investigators had the verbatim interview transcribed and it is included in the IAB case book in the transcription section. A C.D. containing the audio interview is included in the IAB case book in **Exhibit F.**

Deputy Paez said he was assigned to work with Deputy Turpin and Deputy Espericueta in Unit OSS G34. Deputy Paez said, Deputy Turpin was driving and Deputy Espericueta was the front passenger and he was riding in the rear seat behind Deputy Espericueta. Deputy Paez said they were driving to the north end of Century Station's patrol area after they were briefed at Operation Safe Streets Headquarters in Rancho Dominguez.

Deputy Paez said, they were driving west on 103rd Street crossing Lou Dillon Avenue when he saw a male wearing what appeared to be gang attire straddling a bicycle on the sidewalk in front of a residence on 103rd Street south of Lou Dillon Avenue. Deputy Paez said, he alerted his partners and they all agreed to drive to the location and contact the male on the bicycle.

Deputy Paez said, Deputy Turpin made a U-turn on 103rd Street and returned to Lou Dillon Avenue, where they turned south and drove toward the male on the bicycle. Deputy Paez said as they approached the location they saw the male, Witness [redacted], talking to two males, Witness [redacted] and Suspect Cabrales. Witness [redacted] and Suspect Cabrales were standing in the front yard of [redacted] Lou Dillon Avenue next to a black Ford Mustang. Deputy Paez said he saw a bottle of alcohol, a bottle of juice and some cups on the trunk of the Mustang. Deputy Paez said as they exited the vehicle Deputy Espericueta contacted Witness [redacted] and he along with Deputy Turpin approached Witness [redacted] and Suspect Cabrales. Deputy Paez said there was a wrought iron fence enclosing the yard. The fence contained a sliding gate on the south side of the yard and a small pedestrian gate on the north side of the yard. Deputy Paez said as he and Deputy Turpin were walking toward Witness [redacted] and Suspect Cabrales he asked them what they were doing, they replied, "Hanging out, drinking."

Deputy Paez said Witness [redacted] was standing near the rear of the Mustang and Suspect Cabrales was standing near the right rear quarter panel. Deputy Paez said Witness [redacted] was wearing a red checkered shirt but could not recall what Suspect Cabrales was wearing. Deputy Paez said because they were drinking in public he asked them to exit the yard. Deputy Paez said Witness [redacted] was cooperating and told them they could enter the yard and began to walk to the gate to open it. As Witness [redacted] was starting to open the gate, Suspect Cabrales yelled, "Fuck you guys! Get out of here." Suspect Cabrales then walked over to the fence and held it so that Witness [redacted] could not open it any further.

Deputy Paez said the gate opened wide enough for a person to enter or exit the yard. Deputy Paez said once the gate was open Witness [redacted] exited the yard and was detained by Deputy Turpin. Deputy Paez then entered the yard in order to contact Suspect Cabrales regarding the drinking in public. Deputy Paez said once he entered the yard Suspect Cabrales began to walk west on the north side of the Mustang. Deputy Paez said he was unable to see Suspect Cabrales' hands as he was walking and asked him to show his hands. Deputy Paez said Suspect Cabrales ignored his request and continued to walk west in the yard toward the north side of the residence. Deputy Paez said while following Suspect Cabrales he saw a holster on Suspect Cabrales' right side, protruding from his shirt. Deputy Paez said he yelled, "[redacted]."

IAB NOTE: [redacted] is the Los Angeles County Sheriff's Department radio code for person with a gun.

Deputy Paez said Suspect Cabrales continued walking in a northwest direction toward a walkway on the north side of the residence. Deputy Paez said while Suspect Cabrales was walking he continuously looked back to see where Deputy Paez was. Deputy Paez said Suspect Cabrales opened the gate and entered the walkway and he continued to follow the Suspect. Deputy Paez said as he entered the walkway he saw the Suspect in the walkway approximately 5 to 6 feet west of the walkway entrance.

> **IAB NOTE**: While following the suspect Deputy Paez continuously yelled for the suspect to stop and show his hands.

Deputy Paez said as he entered the walkway he saw Suspect Cabrales look in his direction and retrieve a gun from the holster with his right hand. Deputy Paez said the suspect turned to his right, looked in his direction and pointed the handgun at him.

> **IAB NOTE:** Deputy Paez said the suspect made a ¾ turn to his right and pointed the gun in his direction.

Deputy Paez said he was scared and feared for his life and the safety of his partners when he fired approximately three or four rounds from his duty weapon, striking the suspect. Deputy Paez said the suspect fell to the ground and he backed up to take cover at the edge of the house. Deputy Paez said he continued yelling, "Let me see your fucking hands, put your hands where I can see them."

> **IAB NOTE:** The suspect landed on his left side with his hands near his waistband.

Deputy Paez said he could no longer see the suspect's hands or the gun. Deputy Paez said Deputy Turpin arrived at his location and they both held their position and continued to yell at the suspect to show his hands.

> **IAB NOTE:** Both Deputy Paez and Deputy Turpin were at the northeast corner of the residence using the house for cover.

Deputy Paez said Deputy Espericueta arrived at their location and used his hand held radio to put out an assistance request regarding a deputy involved shooting and to request medical aide. Deputy Paez said once assisting deputies arrived, they approached the suspect and handcuffed him.

> **IAB NOTE:** Deputy Paez separated from the Los Angeles County Sheriff's Department on February 28, 2013. A certified letter requesting an interview was accepted on June 24, 2013. **Refer to Exhibit F.** At the completion of this investigation I have not received confirmation for an interview.

DEPARTMENT WITNESES

Turpin, William #[redacted]

Witness Deputy William Turpin was interviewed by Homicide Detectives Joe Espino and Bob Kenney at Century Station on March 7, 2012 at 2100 Hours. The interview was conducted at the Century Sheriff's Station and was digitally audio recorded. The interview was summarized by Homicide Detectives and is included in **Exhibit A, pages 41-45.**

> **IAB NOTE:** IAB Investigators had the verbatim interview transcribed and it is included in the IAB case book in the transcription section. A C.D. containing the audio interview is included in the IAB case book in **Exhibit F.**

Deputy Turpin was interviewed by Internal Affairs Bureau Sergeants David Ladjevic and Carlos Flores. The interview was conducted at Internal Affairs Bureau on May 21, 2013 at 1030 hours. Deputy Turpin was represented by Erika Gurrola of Green and Shinee. The following is a summary of his interview. For his complete verbatim interview see the attached transcripts included in the IAB case book in the transcription section.

Deputy Turpin's statement and description of the incident during this interview was essentially the same as he provided to Homicide Detectives. He then answered questions relative to tactics and training.

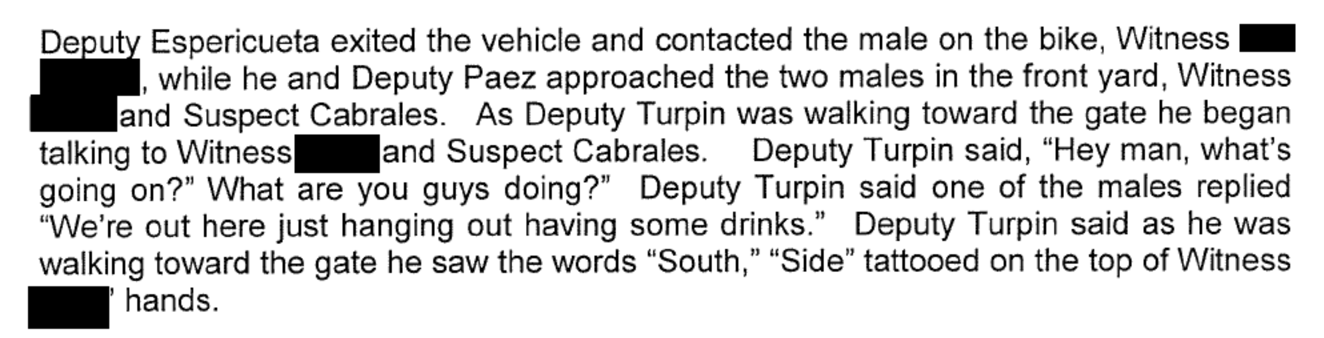
Deputy Turpin said on the date of the incident he was working with his regular partner, Deputy Espericueta along with Deputy Paez who was assigned to their unit as a third deputy.

> **IAB NOTE:** Deputy Turpin said it is not common to have three deputies assigned to a car, however, it has been done in the past.

Deputy Turpin said as they were driving to their assigned patrol area they were driving west on 103rd Street crossing Lou Dillon Avenue. He said as they crossed Lou Dillon Avenue they saw a male straddling a bicycle on the sidewalk. He said they all agreed to contact the male and he made a U-turn and drove south on Lou Dillon Avenue.

> **IAB NOTE:** Deputy Turpin was familiar with the area and knew Lou Dillon Avenue was a one way street from south to north.

Deputy Turpin said when they arrived at the location where the male was standing they saw two other males within a fenced yard. Deputy Turpin said they saw a bottle of an alcoholic beverage on the trunk of a [redacted] that was parked in the driveway. Deputy Turpin said they stopped their vehicle in order to contact the males. He said


Deputy Espericueta exited the vehicle and contacted the male on the bike, Witness [redacted], while he and Deputy Paez approached the two males in the front yard, Witness [redacted] and Suspect Cabrales. As Deputy Turpin was walking toward the gate he began talking to Witness [redacted] and Suspect Cabrales. Deputy Turpin said, "Hey man, what's going on?" What are you guys doing?" Deputy Turpin said one of the males replied "We're out here just hanging out having some drinks." Deputy Turpin said as he was walking toward the gate he saw the words "South," "Side" tattooed on the top of Witness [redacted]' hands.

IAB NOTE: Deputy Turpin recognized the "South" "Side" tattoo as a sign of a person belonging to a gang.

Deputy Turpin asked Witness [redacted] to exit the yard. Deputy Turpin said Witness [redacted] was very cooperative and put his hands up in the air and walked toward the gate. Deputy Turpin said Witness [redacted] opened the gate by lifting it and pushing it out wide enough for him to get out. He said when Witness [redacted] opened the gate Suspect Cabrales said, "Fuck you, you can't come in here," and began to walk away west through the yard toward the house.

Deputy Turpin said after Witness [redacted] exited the yard Deputy Paez entered the yard through the open gate and attempted to contact Suspect Cabrales. Deputy Turpin said Deputy Paez told Suspect Cabrales to stop and talk to him. He said Suspect Cabrales continued walking and Deputy Paez continuously asked Suspect Cabrales to stop and to show him his hands as he followed him. Deputy Turpin said Suspect Cabrales ignored Deputy Paez and continued to walk west through the yard to the north side of the house.

Deputy Turpin said as Deputy Paez followed the suspect toward the house he heard Deputy Paez yell, "Gun,Gun, [redacted]" Deputy Turpin said once he heard Deputy Paez say gun, he entered the yard and told Witness [redacted] to go toward Deputy Espericueta. Deputy Turpin said as he began to go toward Deputy Paez he heard 3 or 4 gunshots. Deputy Turpin said he was approximately fifteen feet to the rear of Deputy Paez when he heard the gunshots.

IAB NOTE: Deputy Turpin was shown an aerial photo of the scene and asked to mark his location with "DT" at the time of the shooting. **Refer to Deputy Turpin's transcriptions, Exhibit 1** for aerial view.

Deputy Turpin said after he heard the gunshots he continued to walk toward Deputy Paez' location at the corner of the house where they took cover. Deputy Turpin said both he and Deputy Paez instructed the suspect to show his hands. He said they repeated the command several times and the suspect did not comply. Deputy Turpin said Deputy Espericueta arrived at their location and requested for assistance via his handheld radio. **Refer to Exhibit C,** for audio recording of the assistance request.

Deputy Turpin said when assisting units arrived they approached the suspect and handcuffed him pending the arrival of the fire department.

Deputy Turpin said the paramedics pronounced the suspect dead.

For Deputy Turpin's complete statements, refer to his verbatim interview transcripts.

Espericueta, Steve #[redacted]

Witness Deputy Steve Espericueta was interviewed by Homicide Detectives Joe Espino and Bob Kenney at Century Station on March 7, 2012 at 2210 Hours. The interview was conducted at the Century Sheriff's Station and was digitally audio recorded. The interview was summarized by Homicide Detectives and is included in **Exhibit A**, **pages 45-52,** for his homicide interview.

> **IAB NOTE:** IAB Investigators had the verbatim interview transcribed and it is included in the IAB case book in the transcription section. A C.D. containing the audio interview is included in the IAB case book in **Exhibit F.**

Deputy Espericueta was interviewed by Internal Affairs Bureau Sergeants David Ladjevic and Carlos Flores. The interview was conducted at Internal Affairs Bureau on May 21, 2013 at 1117 hours. Deputy Espericueta was represented by Erika Gurrola of Green and Shinee. The following is a summary of his interview. For his complete verbatim interview see the attached transcripts included in the IAB case book in the transcription section.

Deputy Espericueta's statement and description of the incident during this interview was essentially the same as he provided to Homicide Detectives. He then answered questions relative to tactics and training.

Deputy Espericueta said he was working Unit OSSG34 with his regularly assigned partner Deputy Turpin and Deputy Paez was assigned to their car as a third deputy. Deputy Espericueta said they were driving to their assigned patrol area after attending briefing at OSS Headquarters. Deputy Espericueta said he was the front passenger, Deputy Turpin was the driver and Deputy Paez was seated in the rear passenger seat directly behind him.

> **IAB NOTE:** Their assigned patrol area was the Century Station areas of Florence/Firestone.

Deputy Espericueta said they were driving west on 103rd Street approaching Lou Dillon Avenue when he saw a male standing on a bicycle on Lou Dillon Avenue. He said the male was wearing "baggy clothing" and the area was a "high gang infested area." He said he asked his partner if he saw the male. Deputy Espericueta said his partners acknowledged that they saw the male and they decided to contact him. Deputy Espericueta said Deputy Turpin initiated a U-turn on 103rd Street and turned south onto Lou Dillon Avenue.

> **IAB NOTE:** Deputy Espericueta said he did not know Lou Dillon Avenue was a one way street until they turned south on Lou Dillon Avenue.

Deputy Espericueta said as they approached the individual on the bike he saw two other individuals inside the fenced yard of the location. Deputy Espericueta said Deputy Turpin stopped the vehicle and he immediately exited the vehicle and contacted the male on the bike. He said both Deputy Turpin and Deputy Paez exited the vehicle and approached the males, Witness [redacted] and Suspect Cabrales, inside the front yard of the location. Deputy Espericueta said as he contacted the male, Witness [redacted], he noticed a bottle of an alcoholic beverage on the trunk of a car parked in the front yard. He said he was speaking to Witness [redacted] asking him, "What are you guys doing?", "What are you guys up to?", just trying to start a conversation. Deputy Espericueta said Witness [redacted] was very cooperative and answered his questions. He said Witness [redacted] told him, "Oh, nothing. We're just having some drinks."

Deputy Espericueta said he conducted a pat down search for weapons in order to continue the conversation and complete a field identification card in a safe manner. Deputy Espericueta said he was not sure if Witness [redacted] was a "gang member," however, he was wearing baggy clothing and he appeared to know the routine as if he was "experienced" in being contacted by the police.

Deputy Espericueta said while he was conducting his pat down search of Witness [redacted] he heard someone say, "Hey, can you open the gate?" He said he did not know who asked the question. Deputy Espericueta said he heard someone say, "Fuck you." Deputy Espericueta said after hearing, "Fuck you," he felt he needed to secure Witness [redacted] quickly. Deputy Espericueta said he was facing the car securing Witness [redacted] when he heard someone say, "Stop! Let me see your hands." He said when he heard "stop" he turned his head to his left and saw the suspect running toward the corner of the house. He said he was watching the suspect running when he saw a bulge on the suspect's waistband. Deputy Espericueta said as he was placing Witness [redacted] into the rear seat of the car when he heard approximately 4 -5 gunshots. Deputy Espericueta said he closed the vehicle door and unholstered his weapon and looked to his right. He said as he looked to his right he saw Witness [redacted] exit the yard, and through his peripheral vision he could see Deputy Turpin approximately 5 feet away from Witness [redacted]

Deputy Espericueta said when Witness [redacted] exited the yard he had his hands up in the air and he ordered him to get on the ground. Witness [redacted] complied and laid down on the ground face first. Deputy Espericueta said he quickly searched and secured Witness [redacted] in the rear seat of the patrol car. He said once Witness [redacted] was secured he responded to the area that Deputy Turpin and Deputy Paez were to check on their welfare. He said once he contacted them he saw that they were okay. They told him what they had and he put out, "998" over the radio. Deputy Espericueta said when assisting deputies arrived they secured the suspect pending the arrival of the fire department.

Deputy Espericueta said the shooting occurred while he was securing Witness [redacted] inside the radio car. He further stated he was facing to the east with his back to the location therefore he did not witness the shooting.

For Deputy Espericueta's complete statements, refer to his verbatim interview transcripts

NON-DEPARTMENT WITNESS STATEMENTS

[redacted]

Witness [redacted] was interviewed by Homicide Investigator Detective Joe Espino and Sergeant Fred Reynolds of Internal Affairs Bureau on March 7, 2012 at 1900 hrs.

> **IAB NOTE:** The interview was audio recorded and a copy of the audio interview is included in the IAB case book as **Exhibit F.** Homicide Investigators summarized the interview and it is included in **Exhibit A, pages 32-36.**

Witness [redacted] said he and his [redacted], arrived at the location at approximately 9:45 A.M. driving his [redacted]. He said when he arrived Suspect Cabrales was in the front yard with his young son, [redacted] Witness [redacted] said they took the kids to Burger King to get something to eat. Witness [redacted] said after they bought the food they returned to the location and ate the food in the car. He said once they finished eating he told Suspect Cabrales that he had to leave to do some errands. Witness [redacted] said while he was doing his errands Suspect Cabrales called him and asked him to bring a "bottle."

> **IAB NOTE:** Witness [redacted] understood the term "bottle" to be an alcoholic beverage. Witness [redacted] purchased a bottle of Remy Martin Cognac.

Witness [redacted] said when he completed his errands he returned to the location, alone. He said when he arrived at the location Suspect Cabrales was in the front yard and opened the gate allowing him to park his car in the driveway. Witness [redacted] said he retrieved the

Cognac and placed it on the trunk of the car and turned on some music while Suspect Cabrales returned to his residence and retrieved Pineapple Juice and cups. Witness [redacted] said Suspect Cabrales mixed a couple drinks while he started to roll a "blunt."

IAB NOTE: Blunt is a slang term used for Marijuana Cigarette.

Witness [redacted] said he was standing near the right rear quarter panel of the [redacted] and Suspect Cabrales was standing near the left rear quarter panel when Suspect Cabrales' uncle, Witness [redacted] arrived on a bicycle. Witness [redacted] said, Witness [redacted] was on the sidewalk near the rolling gate. (Refer to **Exhibit B.)** He said he took a sip of his drink and Suspect Cabrales was mixing his drink when a police car driving south from 103rd Street stopped in front of the location.

Witness [redacted] said when the deputies arrived at the location they exited their vehicle and the front passenger contacted Witness [redacted]. He said the other deputies asked if they were on parole or probation as they were walking toward the gate. Witness [redacted] said he told the deputies he was on probation and Suspect Cabrales said he was not. Witness [redacted] said the deputies then asked if they had any guns or weapons on them. Witness [redacted] said he lifted his shirt to show the deputies he did not have any weapons and Suspect Cabrales pushed the gate closed and held it closed. Witness [redacted] said one of the deputies asked him to step out of the yard. Witness [redacted] said he started to exit the yard when Suspect Cabrales told them, "You can't come in my house without a search warrant." Witness [redacted] said the deputies told Suspect Cabrales, "We don't want to go into your house." Witness [redacted] said he started walking toward the gate when Suspect Cabrales began running toward the house. Witness [redacted] said one of the deputies opened the gate and both of them entered the yard and began to chase Suspect Cabrales. Witness [redacted] said when the deputies passed him he exited the yard and approached the deputy who was at the car with Witness [redacted] Witness [redacted] said the deputy pointed his gun at him and told him to get on the ground. Witness [redacted] said he was getting onto his knees when he heard gunshots.

IAB NOTE: Witness [redacted] said he did not hear the deputies say anything while they were chasing Suspect Cabrales.

Witness [redacted] said several seconds after the shooting the deputy that remained at the car asked him to get up and placed him into the police car. **Refer to Exhibit F,** for the audio recording of Witness [redacted] interview.

[redacted]

Witness [redacted] was interviewed by Homicide Investigator Detective Steve Kenney and Detective Joe Espino on March 7, 2011 at 1959 hrs.

IAB NOTE: The interview was audio recorded and a copy of the audio

interview is included in the IAB case book as **Exhibit F.** Homicide Investigators summarized the interview and it is included in **Exhibit A, pages 38-40.**

Witness [redacted] said he was working on a car at 107th Street and Lou Dillon Avenue and he needed a ride to purchase a new starter. He said he borrowed a bicycle and went to the location to ask Suspect Cabrales for a ride to a shop located at Wilmington Avenue and Martin Luther King Boulevard.

IAB NOTE: Witness [redacted] is Suspect Cabrales' [redacted].

Witness [redacted] said he arrived at the location and saw Suspect Cabrales and his friend, Witness [redacted] in the front yard drinking. Witness [redacted] said he stopped on the sidewalk in front of the location and began talking to them when he noticed they had a gun. Witness [redacted] said when he was speaking with Suspect Cabrales he heard a car accelerating south on Lou Dillon Avenue from 103rd Street.

IAB NOTE: Witness [redacted] said he arrived approximately 1 minute prior to the seeing the Sheriff's Radio Car.

He said he looked at the car and recognized it to be a Sheriff's car. Witness [redacted] said he didn't have anything illegal on him, so he waited for the deputies. Witness [redacted] said, the deputies stopped the vehicle, exited and approached him. He said one of the deputies asked him if he was on parole or probation. Witness [redacted] said the other two deputies asked Witness [redacted] and Suspect Cabrales if they were on parole or probation, and they both said, "No." Witness [redacted] said the deputies tried to enter the yard and Suspect Cabrales held the gate closed and told them they couldn't go in the yard without a warrant. Witness [redacted] said one of the deputies told Suspect Cabrales, "We can go inside without a warrant if we want to." He said Witness [redacted] lifted his shirt as if to show that he did not have any weapons.

IAB NOTE: Witness [redacted] said it is common for a person to lift his shirt to show they are not carrying any weapons.

Witness [redacted] said the deputies lifted the gate, pulled it open and entered the yard. Witness [redacted] said once the deputies entered the yard Suspect Cabrales began to run toward the rear of the house. He said that his [redacted] was running down the "hallway" when he heard several gunshots. Witness [redacted] said he lost sight of Suspect Cabrales when he entered the "hallway" and could only see the deputy's back when he stopped at the entrance to the "hallway" near the edge of the house.

IAB NOTE: The "hallway" is a walkway on the north side of the residence.

Witness [redacted] said when he heard the gunshots the deputy that contacted him placed

him into the rear of the patrol car. He said he heard the deputy say, "Let me see your hands. Let me see your hands." Witness [redacted] said the deputy repeated the command approximately 3 or 4 times. Witness [redacted] said he started yelling at Suspect Cabrales to show his hands because he did not want him to get shot. **Refer to Exhibit F**, for the audio recording of Witness [redacted] statement.

[redacted]

Witness [redacted] was interviewed by Homicide Investigator Detective Bob Kenney and Sergeant Slade Carrizosa of Internal Affairs Bureau on March 7, 2012 at 1904 hrs.

> **IAB NOTE:** The interview was audio recorded and a copy of the audio interview is included in the IAB case book as **Exhibit F.** Homicide Investigators summarized the interview and it is included in **Exhibit A, pages 36-38**

Witness [redacted] said he lives in the trailer which is located at the rear of the property of [redacted] Lou Dillon Avenue. He said he arrived home and saw Suspect Cabrales and Witness [redacted] in the front yard of the location with a bottle of alcohol.

> **IAB NOTE:** Witness [redacted] is Suspect Cabrales' [redacted].

Witness [redacted] said he was inside of his house boiling water when he heard gunshots.

> **IAB NOTE:** Witness [redacted] does not have running hot water therefore he was boiling water in order to take a shower.

Witness [redacted] said after he heard the gunshots he ran out of his house and looked around the corner where he saw Suspect Cabrales lying on the ground in the walkway. He said he heard the deputy telling Suspect Cabrales to show them his hands. Witness [redacted] said when the deputies saw him they told him to go back into his house. He said he went back into his house and waited for the deputies to call him out. Witness [redacted] said he heard someone call his name and he exited the house. He said deputies handcuffed him and searched his house. Witness [redacted] said the deputies escorted him from his house to the front of the property and placed him inside a patrol car. **Refer to Exhibit F**, for the audio recording of Witness [redacted] statement.

<u>SUSPECT STATEMENT</u>

Cabrales, Arturo: Deceased

MISCELLANEOUS

On September 18, 2012 the Los Angeles County District Attorney's Office issued their letter of opinion regarding this shooting incident. The letter concludes with the statement, "We conclude that Deputy Paez acted lawfully in self-defense." **See Miscellaneous Documents**, for District Attorney letter of recommendation.